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10 *Attorneys for Plaintiffs*

11  
12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **OAKLAND DIVISION**

15 UNITED STATES OF AMERICA, STATES  
OF CALIFORNIA, COLORADO,  
16 CONNECTICUT, DELAWARE, FLORIDA,  
GEORGIA, HAWAII, ILLINOIS, INDIANA,  
17 IOWA, LOUISIANA, MICHIGAN,  
MINNESOTA, MONTANA, NEVADA,  
18 NEW JERSEY, NEW MEXICO, NEW YORK,  
NORTH CAROLINA, OKLAHOMA, RHODE  
19 ISLAND, TENNESSEE, TEXAS,  
VERMONT, AND WASHINGTON; THE  
20 COMMONWEALTHS OF  
MASSACHUSETTS AND VIRGINIA; and  
21 THE DISTRICT OF COLUMBIA,

22 *ex rel.* ZACHARY SILBERSHER,

23 Plaintiffs,

24 vs.

25 JANSSEN BIOTECH, INC., JANSSEN  
ONCOLOGY, INC., JANSSEN RESEARCH &  
26 DEVELOPMENT, LLC, and JOHNSON &  
JOHNSON,  
27

28 Defendants.

Case No.: 4:17-cv-07250-KAW

**STIPULATION AND [PROPOSED] ORDER  
FOR EXTENSION OF TIME TO RESPOND  
TO AMENDED COMPLAINT**

1 WHEREAS, on December 21, 2017, Plaintiffs filed the Complaint in this action;

2 WHEREAS, on October 23, 2018, Plaintiffs filed an Amended Complaint in this action;

3 WHEREAS, the deadline for Defendants to move or otherwise respond to the Amended  
4 Complaint is January 10, 2019;

5 WHEREAS, Defendants seek an extension of the deadline to move or otherwise respond to  
6 the Amended Complaint to allow Defendants time to evaluate this case and prepare defenses;

7 WHEREAS, Plaintiffs have agreed to an extension of the deadline;

8 WHEREAS, Defendants do not waive, and expressly reserve, all available defenses, except  
9 with respect to the sufficiency of service of process; and

10 WHEREAS, Defendants have not obtained any previous extension;

11 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between  
12 Plaintiffs and Defendants, as represented by their undersigned counsel, that Defendants' deadline to  
13 move, or otherwise respond to the Complaint shall be extended forty-five (45) days to and including  
14 February 25, 2019. In the event that Defendants respond by filing a motion to dismiss the Amended  
15 Complaint, Plaintiffs shall have until March 27, 2019, to oppose or otherwise respond to such motion  
16 to dismiss, and Defendants shall have until April 11, 2019 to reply. These extensions shall not alter the  
17 date of any event or deadline already fixed by Court order.

1 Dated: January 9, 2019

By: /s/ Nicomedes Sy Herrera

2 Nicomedes Sy Herrera (State Bar No. 275332)  
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11 *Delaware, Florida, Georgia, Hawaii, Illinois,*  
12 *Indiana, Iowa, Louisiana, Michigan, Minnesota,*  
13 *Montana, Nevada, New Jersey, New Mexico, New*  
14 *York, North Carolina, Oklahoma, Rhode Island,*  
15 *Tennessee, Texas, Vermont, and Washington; the*  
16 *Commonwealths of Massachusetts and Virginia; and*  
17 *the District of Columbia, ex rel. Zachary Silbersher*

18 Dated: January 9, 2019

By: /s/ Michael J. Bettinger

19 Michael J. Bettinger (SBN 122196)  
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26 *Attorneys for Defendants Janssen Biotech, Inc.,*  
27 *Janssen Oncology, Inc., Janssen Research &*  
28 *Development, LLC, and Johnson & Johnson*

**SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatories above.

January 9, 2019

By: /s/ Nicomedes Sy Herrera  
Nicomedes Sy Herrera

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

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19 ISLAND, TENNESSEE, TEXAS,  
20 VERMONT, AND WASHINGTON; THE  
21 COMMONWEALTHS OF  
22 MASSACHUSETTS AND VIRGINIA; and  
23 THE DISTRICT OF COLUMBIA,

*ex rel.* ZACHARY SILBERSHER,

Plaintiffs,

vs.

21 JANSSEN BIOTECH, INC., JANSSEN  
22 ONCOLOGY, INC., JANSSEN RESEARCH &  
23 DEVELOPMENT, LLC, and JOHNSON &  
JOHNSON,

Defendants.

Case No.: 4:17-cv-07250-KAW

**[PROPOSED] ORDER EXTENDING  
DEFENDANTS' TIME TO RESPOND TO  
THE AMENDED COMPLAINT AND  
OTHER RELIEF**

24  
25 The Court, having reviewed the Stipulation for Extension of Time to Respond to Amended  
26 Complaint, and good cause appearing therefor, **HEREBY MAKES THE FOLLOWING ORDER:**  
27  
28

1 Defendants' time to move, or otherwise respond to the Amended Complaint shall be  
2 extended forty-five (45) days to and including February 25, 2019.

3 In the event that Defendants respond by filing a motion to dismiss the Amended Complaint,  
4 Plaintiffs shall have until March 27, 2019, to oppose or otherwise respond to such motion to dismiss,  
5 and Defendants shall have until April 11, 2019 to reply.

6  
7 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

8  
9 Date:

10 \_\_\_\_\_  
United States Magistrate Judge